

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 8, 1871.

CHAPTER 55.

[Published March 10, 1871.]

AN ACT to amend section 20 of chapter 141 of the revised statutes, entitled, "actions for the recovery of real property."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 20 of chapter 141 of the revised statutes, entitled "actions for the recovery of real property," is hereby amended so as to read as follows: The court in which such judgment shall be rendered, at any time within one year thereafter, upon the application of the party against whom the same was rendered, his heirs or assigns, and upon payment of all costs recovered thereby, shall vacate such judgment and grant a new trial in such cause: *provided, however,* that before any such new trial shall be granted, the party or parties applying for such new trial shall file an undertaking, in such sum as the court shall direct, with two good and sufficient sureties, who shall each justify on oath, his responsibility in like manner as upon bail on arrest, conditioned to pay all costs and damages, including the mense profits that may be awarded against such party or parties, on the final determination of said cause, but no more than one new trial shall be granted under this section.

Amended.

Court may vacate judgment and grant new trial.

SECTION 2. This act shall take effect and be in force from and after its publication.

Approved March 8, 1871.